

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chairman Gary L. Perry, on February 12, 2009 at 9:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Gary L. Perry, Chairman (R)
Sen. Jim Shockley, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. John Esp (R)
Sen. Greg Hinkle (R)
Sen. Larry Jent (D)
Sen. Carol C. Juneau (D)
Sen. Cliff Larsen (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Terry Murphy (R)

Members Excused: None.

Members Absent: Sen. Jesse Laslovich (D)

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 332, SB 333, SB 334, SB 384,
2/5/2009

Executive Action: None

HEARING ON SB 334

Opening Statement by Sponsor:

00:00:40 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 334, Allow override of Supreme Court decision invalidating statute.

[EXHIBIT\(jus33a01\)](#)

Proponents' Testimony:

none

Opponents' Testimony:

none

Informational Testimony:

none

Questions from Committee Members and Responses:

00:11:05 Sen. McGee
00:11:44 Sen. Balyeat
00:12:54 Sen. Shockley
00:13:03 Sen. Balyeat

Closing by Sponsor:

00:13:34 Sen. Balyeat

HEARING ON SB 332

Opening Statement by Sponsor:

00:13:56 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 332, Revise venue for lawsuits challenging validity of statute.

[EXHIBIT\(jus33a02\)](#)

Proponents' Testimony:

none

Opponents' Testimony:

none

Informational Testimony:

none

Questions from Committee Members and Responses:

00:17:35 Sen. Larsen
00:18:00 Sen. Balyeat

Closing by Sponsor:

00:20:22 Sen. Balyeat

HEARING ON SB 333

Opening Statement by Sponsor:

00:20:54 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB
333, Require election of supreme court justices from
districts.

[EXHIBIT\(jus33a03\)](#)

Proponents' Testimony:

none

Opponents' Testimony:

none

Informational Testimony:

none

Questions from Committee Members and Responses:

00:24:06 Sen. Larsen
00:24:39 Sen. Balyeat
00:26:01 Sen. Shockley
00:26:06 Sen. Balyeat

Closing by Sponsor:

00:29:57 Sen. Balyeat

HEARING ON SB 384

Opening Statement by Sponsor:

00:31:41 Sen. Larry Jent (D), SD 32, opened the hearing on SB 384, Require disclosure of insurance policy limits.

Proponents' Testimony:

00:33:06 Sidney McKenna, Attorney; President, Montana Trial Lawyers Association
00:35:29 Al Smith, Montana Trial Lawyers Association

Opponents' Testimony:

00:36:09 Greg VanHorssen, State Farm Insurance, also testified for Jacqueline Lenmark, American Insurance Association (AIA), and Bruce Spencer, Property Casualty Insurance (PCI)
00:40:05 Dwight Easton, Farmers Insurance Group

Informational Testimony:

none

Questions from Committee Members and Responses:

00:41:02 Sen. McGee
00:41:58 Sen. Jent
00:46:01 Sen. McGee
00:47:00 Mr. VanHorssen
00:48:36 Sen. McGee
00:49:02 Sen. Jent

00:51:50 Sen. Hinkle
00:52:47 Sen. Jent
00:54:47 Sen. Shockley
00:55:08 Sen. Jent
00:55:49 Sen. Shockley
00:56:02 Mr. VanHorssen
00:59:26 Sen. Shockley
00:59:33 Ms. McKenna

Closing by Sponsor:

00:59:52 Sen. Jent

01:01:21 break

Distributed to the Committee Members for SB 46 heard 2/11/09:

[EXHIBIT\(jus33a04\)](#)

ADJOURNMENT

Adjournment: 10:12 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT ([jus33aad.pdf](#))